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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JAY A. GOSS,

Plaintiff,

-against-

SEALIFT INC. and
SAGAMORE SHIPPING, LLC,

Defendants.

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**PLAINTIFF DEMANDS
A TRIAL BY JURY**

COMPLAINT

**SEAMAN'S CASE UNDER
THE JONES ACT
FOR PERSONAL INJURIES**

19 cv-5123
-----X

**SUIT UNDER SPECIAL RULE FOR SEAMEN TO SUE
WITHOUT SECURITY OR PREPAYMENT OF FEES
FOR THE ENFORCEMENT OF THE LAWS OF THE
UNITED STATES, COMMON AND STATUTORY FOR
THE PROTECTION OF AND FOR THE HEALTH AND
SAFETY OF SEAMEN AT SEA**

Plaintiff, JAY A. GOSS, complaining of the defendants SEALIFT INC. and
SAGAMORE SHIPPING, LLC, by his attorneys FRIEDMAN, JAMES & BUCHSBAUM LLP,
respectfully alleges upon information and belief as follows:

Nature of Action:

1. This action is brought pursuant to the Jones Act, 46 U.S.C § 30104 and
the general maritime law of the United States, seeking monetary damages as a result of injuries
sustained on October 27, 2017 by JAY A. GOSS, a seaman employed on board defendants'
vessel CAPT. DAVID I. LYON.

Jurisdiction and Venue:

2. This Court has jurisdiction pursuant to the Jones Act, 46 U.S.C § 30104 *et seq.* and the general maritime law of the United States in that plaintiff JAY A. GOSS was serving as a seaman aboard a vessel in navigable waters and sustained injury while in the course of his employment at the time of the incident giving rise to this action.

3. Venue is proper in this District pursuant to 45 U.S.C. § 56, as incorporated by the Jones Act, 46 U.S.C. § 30104, inasmuch as defendants SEALIFT INC. and SAGAMORE SHIPPING, LLC do business within this District and both are authorized to transact business within the State of New York.

Parties:

4. At all relevant times, plaintiff JAY A. GOSS was and still is a citizen and resident of the State of Washington.

5. At all relevant times, defendant SEALIFT INC. was and still is a corporation organized and existing pursuant to the laws of the State of New York transacting business within the State of New York with an office and place of business located within the Eastern District of New York.

6. At all relevant times, defendant SAGAMORE SHIPPING, LLC was and still is a limited liability company organized and existing pursuant to the laws of a foreign country transacting business within the Eastern District of New York with an office and place of business located within the Eastern District of New York.

FIRST COUNT

7. At all relevant times, defendants, or either of them, owned the vessel CAPT. DAVID I. LYON.

8. At all relevant times, defendants, or either of them, operated the vessel CAPT. DAVID I. LYON.

9. At all relevant times, defendants, or either of them, controlled the vessel CAPT. DAVID I. LYON.

10. That at all times and dates hereinafter mentioned, the plaintiff was a seaman and member of the crew of the the vessel CAPT. DAVID I. LYON and an employee of defendants, or either of them.

11. That on or about October 27, 2017, without any fault on the part of the plaintiff, and wholly and solely by reason of the negligence, recklessness and carelessness of defendants, or either of them, and its/their agents, servants and/or employees, and by reason of the unseaworthiness of the vessel CAPT. DAVID I. LYON, plaintiff was caused to sustain injuries while handling a deck plate.

12. As a result of the foregoing, the plaintiff was rendered sick, sore, lame and disabled and sustained severe and permanent personal injuries, including but not limited to a cervical fusion, was and is internally and externally disabled causing him to suffer pain, and for a time he was prevented from attending to his daily labors, thereby losing sums of money which he otherwise would have earned as wages, and has endeavored to be cured of his injuries, and has expended sums of money to maintain himself, and will continue to endure pain and suffering, all to his damage.

13. By reason of the foregoing, plaintiff has been damaged in the sum of FIFTEEN MILLION (\$15,000,000.00) DOLLARS.

SECOND COUNT

14. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 13 as if set forth fully at length herein.

15. Plaintiff is entitled to maintenance, cure, and medical expenses for the period that he was disabled and unable to work in the total sum of FIVE HUNDRED THOUSAND (\$500,000.00) DOLLARS.

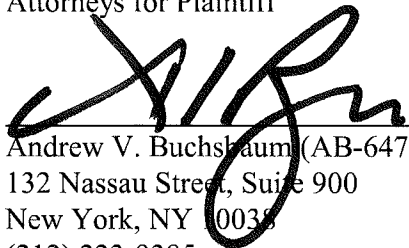
16. In addition, as a result of defendants' willful and wanton disregard of their maintenance and cure obligations, plaintiff is entitled to punitive damages pursuant to Atlantic Sounding Co. v. Townsend, 557 U.S. 404 (2009).

WHEREFORE, plaintiff JAY A. GOSS demands judgment against defendants SEALIFT INC. and/or SAGAMORE SHIPPING, LLC, on the First Count in the amount of FIFTEEN MILLION (\$15,000,000.00) DOLLARS; and against defendants SEALIFT INC. and/or SAGAMORE SHIPPING, LLC on the Second Count in the amount of FIVE HUNDRED THOUSAND (\$500,000.00) DOLLARS, together with punitive damages, costs, interest and disbursements of this action, and such other and further relief as this Court deems just and proper.

Dated: New York, New York
September 9, 2019

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By:



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*application for admission *pro hac vice* to be filed.